

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-X

ARAR

V.

Ashcroft

Case # 04 CV 00249

Related Case: \_\_\_\_\_

Judge: DAVID G. TRAGER

USCA# 06-4216

<sup>x</sup>  
*157 Supplemental*  
INDEX TO RECORD ON APPEAL

INDEX PREPARED BY: D/A Piper US LLP

ADDRESS: 1251 AVENUE of America  
New York NY 10020

TELEPHONE: 212-335-4500

FILED  
OCT 11 A 9:00  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

FILED

The document numbers circled on the following pages with the original papers, constitute the record on appeal. The document numbers followed by an (\*) are missing. The document numbers which are underscored have been electronically filed and may be found on our website:

<http://www.nyed.uscourts.gov>

Date:

Benjamin Franklin Station  
Washington, DC 20044  
(202) 616-4123  
Fax: (202) 616-4314  
Email: mary.mason@usdoj.gov  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Jeremy S Brumbelow**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
01/22/2004	<u>31</u>	COMPLAINT Summons Issued against John Ashcroft, J Scott Blackman, Paula Corrigan, John Does 1-10, Edward J McElroy, Robert Mueller, Tom Ridge, Larry D. Thompson, James W. Ziglar filing fee \$ 150, receipt number 288647, filed by Maher Arar. (Attachments: # <u>1</u> Civil Cover Sheet)(Joe, Victor) (Entered: 01/30/2004)
04/05/2004	<u>32</u>	SUMMONS Returned Executed John Ashcroft served on 3/15/2004, answer due 4/5/2004; J Scott Blackman served on 3/15/2004, answer due 4/5/2004; Edward J McElroy served on 3/15/2004, answer due 4/5/2004; Robert Mueller served on 3/15/2004, answer due 4/5/2004. (Greene, Donna) (Entered: 04/15/2004)
04/19/2004	<u>35</u>	Letter dated 4/19/04 from AUSA Scott Dunn to Hon. David G. Trager requesting a pre-motion conference for govt defts to file a motion to dismiss. (Chee, Alvin) (Entered: 05/04/2004)
05/04/2004	<u>33</u>	AFFIDAVIT of Service for summons & complaint served on Larry Thompson on 3/15/04, filed by Maher Arar. (Noh, Kenneth) (Entered: 05/04/2004)
05/04/2004	<u>34</u>	AFFIDAVIT of Service for summons & complaint served on James W. Ziglar on 3/15/04, filed by Maher Arar. (Noh, Kenneth) (Entered: 05/04/2004)
05/10/2004	<u>310</u>	NOTICE of Appearance by Jim Walden on behalf of Robert Mueller. (Chee, Alvin) (Entered: 05/14/2004)
05/10/2004	<u>311</u>	Notice of MOTION for Limited Admission of <i>Ira H. Raphaelson</i> by Robert Mueller. (Greene, Donna) (Entered: 05/19/2004)
05/10/2004	<u>312</u>	Motion to Admit Counsel Pro Hac Vice. (Greene, Donna) (Entered: 05/19/2004)
05/10/2004	<u>313</u>	ORDER granting [11] Motion for Limited Admission. Signed by JudgeDavid G. Trager on 5/12/04. (Greene, Donna) (Entered: 05/19/2004)

05/11/2004	36	Letter dated 5/7/04 from Jim Walden & Ira H. Raphaelson to USDJ David G. Trager that the complaint should be dismissed for lack of personal jurisdiction. (Noh, Kenneth) (Entered: 05/11/2004)
05/13/2004	37	ORDER approving the following motion schedule: 6/21/04 each individual Federal dfts will serve his pre-motion letter on the US Attorney's Office. 7/6/04 plt will serve any and all responses to those letters and file them with the court on 7/7/04. Signed by Judge David G. Trager on 5/10/04. (Noh, Kenneth) (Entered: 05/13/2004)
05/13/2004	38	Letter dated 5/6/04 from AUSA Scott Dunn to USDJ David G. Trager requesting that the court issue an order approving the schedule for pre-motion letters. (Noh, Kenneth) (Entered: 05/13/2004)
05/14/2004	39	Letter dated 4/27/04 from Barbara Olshansky, Esq. to Hon. David G. Trager in response to the govt's 4/19/04 letter requesting a pre-motion conference. (Chee, Alvin) (Entered: 05/14/2004)
05/25/2004	314	Notice of MOTION for Limited Admission of <i>Debra L. Roth</i> by Edward J McElroy. (Greene, Donna) (Entered: 06/08/2004)
05/25/2004	315	AFFIDAVIT of Debra L. Roth in support of motion to admit counsel Pro Hac Vice. (Greene, Donna) (Entered: 06/08/2004)
05/25/2004	316	AFFIDAVIT of Service by Thomas M. Sullivan of the Notice of appearance, motion to admit, affidavit of Debra L. Roth in support of motion and Order granting admission upon counsel. (Greene, Donna) (Entered: 06/08/2004)
05/25/2004	317	ORDER granting [14] Motion for Limited Admission. Signed by JudgeDavid G. Trager on 6/1/04. (Greene, Donna) (Entered: 06/08/2004)
05/25/2004	318	NOTICE of Appearance by Thomas M. Sullivan on behalf of Edward J McElroy (Greene, Donna) (Entered: 06/08/2004)
06/03/2004	319	Notice of MOTION for Limited Admission by James W. Ziglar. (Greene, Donna) (Entered: 06/17/2004)
06/04/2004	3	CASE FILING FEE: \$ 25.00, receipt number 294922 (Greene, Donna) (Entered: 06/17/2004)
06/08/2004		***Attorney Debra L. Roth for Edward J McElroy added. (Greene, Donna) (Entered: 06/08/2004)
06/17/2004	320	ORDER granting [19] Motion for Limited Admission. Signed by JudgeDavid G. Trager on 6/4/04. (Greene, Donna) (Entered: 06/17/2004)
07/01/2004	321	ORDER endorsed on letter dated July 1, 2004 from Barbara Olshansky. Plaintiff's time to file a response to defendants' pre-motion conference letters is extended to July 8, and permission to file a responsive letter of not more than 10 pages is granted.. Signed by Judge David G. Trager on 7/1/04. (Trager, David) (Entered: 07/01/2004)

07/09/2004	<u>22</u>	Letter from Scott Dunn to Honorable David G. Trager Regarding Order Dated May 10th 2004. (Dunn, Scott) (Entered: 07/09/2004)
08/20/2004	<u>23</u>	Letter dtd 7/9/04 to Judge David G. Trager from Barbara Olshansky, responding to Defendant's Meuller's and Thompson's contention that the Court lacks personal jurisdiction over them for purposes of the claims brought against them in their individual capacity. Plaintiff's request the opportunity to undertake discovery. (Schillat, Louise) (Entered: 08/20/2004)
08/23/2004	<u>24</u>	Letter from AUSA Scott Dunn to Judge David Trager Regarding Briefing schedule in Arar v. Ashcroft, et al along with an ORDER. (Dunn, Scott) (Entered: 08/23/2004)
09/07/2004	<u>25</u>	ORDER granting <u>24</u> parties' jointly submitted briefing schedule. Signed by Judge David G. Trager on 8/26/04. (Trager, David) (Entered: 09/07/2004)
09/14/2004	<u>26</u>	NOTICE of Appearance by Larry L Gregg on behalf of John Ashcroft (Greene, Donna) (Entered: 09/20/2004)
09/28/2004	<u>27</u>	Letter from Mary Hampton Mason to Barbara J. Olshansky, Esq. dtd 9/17/04 enclosing copies of the United States Notice of Motion and the Memorandum of Law in support. (Greene, Donna) (Entered: 09/28/2004)
10/04/2004	<u>28</u>	First MOTION to Dismiss <i>Complaint</i> by James W. Ziglar. (McDaniel, William) (Entered: 10/04/2004)
11/30/2004	<u>29</u>	ORDER granting parties' joint proposal to extend briefing schedule. Signed by Judge David G. Trager on 11/29/04. (Trager, David) Additional attachment(s) added on 12/8/2004 (Greene, Donna). (Entered: 11/30/2004)
12/20/2004	<u>30</u>	ORDER granting plaintiff's proposed briefing schedule. Signed by Judge David G. Trager on 12/20/2004. (Trager, David) Additional attachment(s) added on 12/29/2004 (Chee, Alvin). (Entered: 12/20/2004)
01/03/2005	<u>31</u>	MOTION for Limited Admission <i>Pro Hac Vice</i> for <i>Maria LaHood</i> by Maher Arar. (Attachments: # <u>1</u> Affidavit Declaration of Maria LaHood# <u>2</u> Text of Proposed Order # <u>3</u> Affidavit Certificate of Service)(Olshansky, Barbara) (Entered: 01/03/2005)
01/10/2005	<u>32</u>	ORDER granting <u>31</u> motion for Limited Admission <i>Pro Hac Vice</i> for <i>Maria LaHood</i> . Signed by Judge David G. Trager on 01/06/2005. (Trager, David) Additional attachment(s) added on 1/19/2005 (Greene, Donna). (Entered: 01/10/2005)
01/10/2005		***Motions terminated: <u>31</u> MOTION for Limited Admission <i>Pro Hac Vice</i> for <i>Maria LaHood</i> filed by Maher Arar,. (Greene, Donna) (Entered: 01/10/2005)
01/19/2005		***Attorney Maria C. LaHood for Maher Arar added. (Greene, Donna) (Entered: 01/19/2005)

01/19/2005		***Case Sealed per chambers. (Vaughn, Terry) (Entered: 01/19/2005)
01/19/2005		***Attorney Scott Dunn for James W. Ziglar; Larry D. Thompson; Tom Ridge; J Scott Blackman; Paula Corrigan; Edward J McElroy; Robert Mueller and John Ashcroft added. (Vaughn, Terry) (Entered: 01/19/2005)
01/24/2005		*** Per Chambers. Case Unsealed. (Vaughn, Terry) (Entered: 01/24/2005)
01/24/2005	<a href="#"><u>33</u></a>	MEMORANDUM in Support by John Ashcroft. (Dunn, Scott) (Entered: 01/24/2005)
01/24/2005	<a href="#"><u>34</u></a>	NOTICE by John Ashcroft (Dunn, Scott) (Entered: 01/24/2005)
01/24/2005	<a href="#"><u>35</u></a>	Letter from Scott Dunn, AUSA to Honorable David G. Trager Regarding The United States Determination in Follow-up to the September 17, 2004 letter to the Court and Parties. (Dunn, Scott) (Entered: 01/24/2005)
01/25/2005	<a href="#"><u>36</u></a>	ORDER setting forth briefing schedule for submission of briefs in response to United States' assertion of state-secrets privilege. Signed by Judge David G. Trager on 01/25/2005. (Trager, David) (Entered: 01/25/2005)
01/28/2005	<a href="#"><u>37</u></a>	Notice of MOTION for Limited Admission by Larry D. Thompson. (Greene, Donna) (Entered: 01/28/2005)
01/28/2005	<a href="#"><u>38</u></a>	ORDER granting <a href="#"><u>37</u></a> Motion for Limited Admission. Fee \$25.00 Receipt 304527. Signed by JudgeDavid G. Trager on 1/18/05. (Greene, Donna) (Entered: 01/28/2005)
01/28/2005	<a href="#"><u>39</u></a>	Notice of MOTION for Limited Admission by Larry D. Thompson. (Greene, Donna) (Entered: 01/28/2005)
01/28/2005	<a href="#"><u>40</u></a>	ORDER granting <a href="#"><u>39</u></a> Motion for Limited Admission. Fee: \$25.00 Receipt 304530. Signed by JudgeDavid G. Trager on 1/18/05. (Greene, Donna) (Entered: 01/28/2005)
01/28/2005	<a href="#"><u>41</u></a>	Notice of MOTION for Limited Admission by Larry D. Thompson. (Greene, Donna) (Entered: 01/28/2005)
01/28/2005	<a href="#"><u>42</u></a>	ORDER granting <a href="#"><u>41</u></a> Motion for Limited Admission. Fee: \$25.00 Receipt 304529. Signed by JudgeDavid G. Trager on 1/18/05. (Greene, Donna) (Entered: 01/28/2005)
01/28/2005	<a href="#"><u>43</u></a>	Notice of MOTION for Limited Admission by Larry D. Thompson. (Greene, Donna) (Entered: 01/28/2005)
01/28/2005	<a href="#"><u>44</u></a>	ORDER granting <a href="#"><u>43</u></a> Motion for Limited Admission. Fee: \$25.00 Receipt 304528. Signed by JudgeDavid G. Trager on 1/18/05. (Greene, Donna) (Entered: 01/28/2005)
02/08/2005	<a href="#"><u>45</u></a>	NOTICE of Appearance by Jeremy S Brumbelow on behalf of United States, Robert Mueller, John Ashcroft, Tom Ridge, Paula Corrigan (Brumbelow, Jeremy) (Entered: 02/08/2005)



02/08/2005	<u>46</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>30</u> Order by all defendants. (Brumbelow, Jeremy) (Entered: 02/08/2005)
02/09/2005	<u>47</u>	MOTION for Extension of Time to File Response/Reply by Maher Arar. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Certificate of Service)(Olshansky, Barbara) (Entered: 02/09/2005)
02/10/2005	<u>48</u>	ORDER endorsed on <u>46</u> consent motion granting defendants' requests for extension of time. Signed by Judge David G. Trager on 02/10/2005. (Trager, David) Additional attachment(s) added on 2/22/2005 (Greene, Donna). (Entered: 02/10/2005)
02/10/2005	<u>49</u>	ORDER endorsed on <u>47</u> letter granting plaintiff's request for extension of time. Signed by Judge David G. Trager on 02/10/2005. Additional attachment(s) added on 2/22/2005 (Greene, Donna). (Entered: 02/10/2005)
02/11/2005		***Motions terminated: <u>46</u> Consent MOTION for Extension of Time to File Response/Reply as to <u>30</u> Order filed by John Ashcroft,, Robert Mueller,, Tom Ridge,, J Scott Blackman,, John Does 1-10,, United States,, Edward J McElroy,, James W. Ziglar,, Larry D. Thompson,, Paula Corrigan,. (Greene, Donna) (Entered: 02/11/2005)
02/11/2005	<u>50</u>	Filing Fee for Motion Pro Hac Vice. Receipt: 305675 Fee: \$25.00 (Greene, Donna) (Entered: 02/11/2005)
02/16/2005	<u>51</u>	It is MANDATORY that you file all original documents electronically. Please refer to the Judge's Individual Rules. From this point forward, original documents are REQUIRED to be filed electronically and forward a hard copy, labeled courtesy copy, to chambers. The Judges' Individual Rules of Chambers and further information on ECF may be found at the website for the Eastern District of New York at www.nyed.uscourts.gov.. (Vaughn, Terry) (Entered: 02/16/2005)
02/28/2005	<u>50</u>	NOTICE by Maher Arar <i>OF APPEARANCE; that DLA Piper Rudnick Gary Cary US LLP hereby enters its appearance on behalf of plaintiff Maher Arar as co-counsel in this action</i> (Sterken, Sarah) (Entered: 02/28/2005)
03/02/2005		***Attorney Mary Hampton Mason for United States added. (Greene, Donna) (Entered: 03/02/2005)
03/02/2005	<u>51</u>	Letter MOTION for Extension of Time to File Response/Reply <i>regarding State Secrets</i> by Maher Arar. (Attachments: # <u>1</u> )(LaHood, Maria) (Entered: 03/02/2005)
03/03/2005		***Attorney Robert F. Fink for Maher Arar, Joshua Samuel Sohn for Maher Arar, Zazy Ivonne Lopez for Maher Arar, Sarah Jayne Sterken for Maher Arar added. (Vaughn, Terry) (Entered: 03/03/2005)
03/04/2005	<u>52</u>	ORDER endorsed on letter granting extension of time to file response/reply regarding State Secrets privilege and approving briefing schedule set forth in the letter. Signed by Judge David G. Trager on

		02/03/05. (Trager, David) (Entered: 03/04/2005)
03/10/2005	<u>53</u>	Letter MOTION for Leave to File Excess Pages <i>for State Secrets Response</i> by Maher Arar. (Attachments: # <u>1</u> )(LaHood, Maria) (Entered: 03/10/2005)
03/11/2005	<u>54</u>	ORDER endorsed on <u>53</u> letter granting requests by both parties for page extensions. Signed by Judge David G. Trager on 03/11/05. (Trager, David) (Entered: 03/11/2005)
03/23/2005	<u>55</u>	MOTION to Dismiss <i>Plaintiff's Official-Capacity Claims</i> by Robert Mueller, United States, John Ashcroft, Tom Ridge, Paula Corrigan. (Attachments: # <u>1</u> Supporting Memorandum)(Brumbelow, Jeremy) (Entered: 03/23/2005)
03/23/2005	<u>56</u>	MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims, and Supporting Memorandum</i> , by John Ashcroft. (Brumbelow, Jeremy) (Entered: 03/23/2005)
03/23/2005	<u>57</u>	MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> by Larry D. Thompson. (Attachments: # <u>1</u> Supporting Memorandum of Law)(Brumbelow, Jeremy) (Entered: 03/23/2005)
03/23/2005	<u>58</u>	MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> by Edward J McElroy. (Attachments: # <u>1</u> Supporting Memorandum of Law)(Brumbelow, Jeremy) (Entered: 03/23/2005)
03/23/2005	<u>59</u>	MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> by Robert Mueller. (Attachments: # <u>1</u> )(Brumbelow, Jeremy) (Entered: 03/23/2005)
03/23/2005	<u>60</u>	RESPONSE in Opposition re <u>58</u> MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> , <u>57</u> MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> , <u>59</u> MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> , <u>55</u> MOTION to Dismiss <i>Plaintiff's Official-Capacity Claims</i> , <u>28</u> First MOTION to Dismiss <i>Complaint</i> , <u>56</u> MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims, and Supporting Memorandum</i> , filed by Maher Arar. (Brumbelow, Jeremy) (Entered: 03/23/2005)
03/23/2005	<u>61</u>	REPLY to Response to Motion re <u>55</u> MOTION to Dismiss <i>Plaintiff's Official-Capacity Claims</i> filed by Robert Mueller, United States, John Ashcroft, Tom Ridge, Paula Corrigan. (Brumbelow, Jeremy) (Entered: 03/23/2005)
03/23/2005	<u>62</u>	REPLY to Response to Motion re <u>56</u> MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims, and Supporting Memorandum</i> , filed by John Ashcroft. (Brumbelow, Jeremy) (Entered: 03/23/2005)
03/23/2005	<u>63</u>	REPLY to Response to Motion re <u>57</u> MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> filed by Larry D. Thompson. (Brumbelow, Jeremy) (Entered: 03/23/2005)

03/23/2005	<u>64</u>	REPLY to Response to Motion re <u>58</u> MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> filed by Edward J McElroy. (Brumbelow, Jeremy) (Entered: 03/23/2005)
03/23/2005	<u>65</u>	REPLY to Response to Motion re <u>28</u> First MOTION to Dismiss <i>Complaint</i> filed by James W. Ziglar. (Brumbelow, Jeremy) (Entered: 03/23/2005)
03/23/2005	<u>66</u>	REPLY to Response to Motion re <u>59</u> MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> filed by Robert Mueller. (Brumbelow, Jeremy) (Entered: 03/23/2005)
03/23/2005	<u>67</u>	MOTION to Dismiss , <i>or in the alternative</i> , MOTION for Summary Judgment , <i>with Supporting Memorandum of Law to be filed separately below</i> , by J Scott Blackman. (Attachments: # <u>1</u> Affidavit of Defendant Blackman# <u>2</u> Statement of Facts# <u>3</u> Certificate of Service)(Brumbelow, Jeremy) (Entered: 03/23/2005)
03/23/2005	<u>68</u>	MEMORANDUM in Support re <u>67</u> MOTION to Dismiss , <i>or in the alternative</i> MOTION for Summary Judgment , <i>with Supporting Memorandum of Law to be filed separately below</i> , MOTION for Summary Judgment , <i>with Supporting Memorandum of Law to be filed separately below</i> , by J Scott Blackman. (Brumbelow, Jeremy) (Entered: 03/23/2005)
03/23/2005	<u>69</u>	REPLY to Response to Motion re <u>67</u> MOTION to Dismiss , <i>or in the alternative</i> MOTION for Summary Judgment , <i>with Supporting Memorandum of Law to be filed separately below</i> , MOTION for Summary Judgment , <i>with Supporting Memorandum of Law to be filed separately below</i> , filed by J Scott Blackman. (Brumbelow, Jeremy) (Entered: 03/23/2005)
04/08/2005	<u>70</u>	Letter from Scott Dunn, AUSA to Honorable David G. Trager Regarding Documents filed Relating to the Assertion of the state Secrets Privilege in this Case. (Dunn, Scott) (Entered: 04/08/2005)
04/12/2005	<u>71</u>	Letter from Scott Dunn, AUSA to Honorable David G. Trager Regarding The Filing of Documents Relating to the Assertion of the State Secrets Privilege in this Case. (Dunn, Scott) (Entered: 04/12/2005)
04/13/2005	<u>72</u>	REPLY in Opposition <i>REPLY OF UNITED STATES OF AMERICA TO PLAINTIFF'S OPPOSITION TO UNITED STATES' INVOCATION OF THE STATE SECRETS PRIVILEGE</i> by John Ashcroft. (Dunn, Scott) (Entered: 04/13/2005)
04/13/2005	<u>73</u>	MEMORANDUM in Opposition <i>PLAINTIFF MAHER ARAR'S MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' INVOCATION OF THE STATE SECRETS PRIVILEGE</i> by John Ashcroft. (Dunn, Scott) (Entered: 04/13/2005)
04/13/2005	<u>74</u>	AFFIDAVIT in Support <i>DECLARATION OF JOSHUA S. SOHN</i> by John Ashcroft. (Dunn, Scott) (Entered: 04/13/2005)



04/13/2005	<u>75</u>	AFFIDAVIT in Opposition ( <i>DECLARATION OF MARIA C. LAHOOD IN OPPOSITION TO DEFENDANTS' INVOCATION OF THE STATE SECRETS PRIVILEGE</i> ) by John Ashcroft. (Dunn, Scott) (Entered: 04/13/2005)
04/13/2005	<u>76</u>	MEMORANDUM in Support OF <i>DEFENDANT JOHN ASHCROFT'S PARTIAL MOTION TO DISMISS CLAIMS ENCOMPASSED BY THE CLAIMS OF STATE SECRETS PRIVILEGE</i> by John Ashcroft. (Dunn, Scott) (Entered: 04/13/2005)
04/13/2005	<u>77</u>	NOTICE by John Ashcroft ( <i>NOTICE OF PARTIAL MOTION TO DISMISS THE CLAIMS AGAINST DEFENDANT JOHN ASHCROFT IN HIS INDIVIDUAL CAPACITY ENCOMPASSED BY THE CLAIMS OF STATE SECRETS PRIVILEGE</i> ) (Dunn, Scott) (Entered: 04/13/2005)
04/13/2005	<u>78</u>	MEMORANDUM in Support ( <i>NOTICE OF MOTION</i> ) and ( <i>MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION OF DEFENDANT JAMES ZIGLAR TO DISMISS COMPLAINT BASED ON STATE SECRETS PRIVILEGE</i> ) by John Ashcroft. (Dunn, Scott) (Entered: 04/13/2005)
04/13/2005	<u>79</u>	NOTICE by John Ashcroft ( <i>NOTICE OF MOTION OF DEFENDANT JAMES ZIGLAR TO DISMISS COMPLAINT BASED ON STATE SECRETS PRIVILEGE</i> ) (Dunn, Scott) (Entered: 04/13/2005)
04/13/2005	<u>80</u>	Letter from Ira H. Raphaelson, Esq. to Honorable David G. Trager Regarding the United States' Assertion of the State Secrets Privilege and its Corresponding Request for the Dismissal of Counts I-III. (Dunn, Scott) (Entered: 04/13/2005)
04/14/2005	<u>81</u>	REPLY in Support ( <i>REPLY MEMORANDUM IN SUPPORT OF DEFENDANT JOHN ASHCROFT'S PARTIAL MOTION TO DISMISS CLAIMS ENCOMPASSED BY THE CLAIMS OF STATE SECRETS PRIVILEGE</i> ) by John Ashcroft. (Dunn, Scott) (Entered: 04/14/2005)
04/14/2005	<u>82</u>	Letter from Thomas G. Roth, Esq. to Barbara J. Olshansky, Esq., With Attached letter to Honorable David G. Trager Regarding the Government's Dismissal Motion Based Upon its Assertion of the State Secrets Privilege. (Dunn, Scott) (Entered: 04/14/2005)
07/08/2005	<u>83</u>	Notice of MOTION for Leave to Appear Pro Hac Vice <i>as to Bassel Bakhos</i> by James W. Ziglar. (Greene, Donna) (Entered: 07/19/2005)
07/08/2005	<u>84</u>	ORDER granting <u>83</u> Motion for Leave to Appear Pro Hac Vice. Ordered by JudgeDavid G. Trager on 7/12/05. (Greene, Donna) Receipt: 312446 Fee: \$25.00 (Entered: 07/19/2005)
07/27/2005	<u>85</u>	Letter from Maria LaHood, for Plaintiff Arar to Judge Trager Regarding Supplemental Information for State Secrets Opposition. (Attachments: # <u>1</u> Certificate of Service# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C# <u>5</u> Exhibit D# <u>6</u> Exhibit E# <u>7</u> Exhibit F# <u>8</u> Exhibit G# <u>9</u> Exhibit H# <u>10</u> Exhibit I# <u>11</u> Exhibit J# <u>12</u> Exhibit K# <u>13</u> Exhibit L# <u>14</u> Exhibit M# <u>15</u> Exhibit N)(LaHood, Maria) (Entered: 07/27/2005)

08/05/2005	<u>86</u>	Letter from AUSA Dennis C. Barghaan, Jr. to Hon. David G. Trager Regarding REAL ID Act's Application to Issues in Arar v. Ashcroft, et al.. (Sponseller, Richard) (Entered: 08/05/2005)
08/08/2005	<u>87</u>	NOTICE by Maher Arar of <i>Supplemental Authority</i> (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(LaHood, Maria) (Entered: 08/08/2005)
08/09/2005	<u>94</u>	Minute Entry for proceedings held before David G. Trager : Motion hearing held on 8/9/2005. (Court Reporter Henry Shaprio.) (Greene, Donna) (Entered: 08/22/2005)
08/10/2005	<u>88</u>	MEMORANDUM of questions to be considered by both parties in preparation for oral argument. Ordered by Judge David G. Trager on 08/05/05. (Trager, David) (Entered: 08/10/2005)
08/11/2005	<u>89</u>	Letter from Scott Dunn, AUSA to Honorable David G. Trager Regarding United States' determination to assert state secrets privilege over the information at the core of Counts I, II, and III of plaintiff's complaint. (Dunn, Scott) (Entered: 08/11/2005)
08/11/2005	<u>90</u>	NOTICE by John Ashcroft <i>NOTICE OF FILING</i> (Dunn, Scott) (Entered: 08/11/2005)
08/11/2005	<u>91</u>	AFFIDAVIT in Support <i>DECLARATION OF JAMES B. COMEY</i> by John Ashcroft. (Dunn, Scott) (Entered: 08/11/2005)
08/11/2005	<u>92</u>	MEMORANDUM in Support <i>MEMORANDUM IN SUPPORT OF THE UNITED STATES' ASSERTION OF STATE SECRETS PRIVILEGE</i> by John Ashcroft. (Dunn, Scott) (Entered: 08/11/2005)
08/18/2005	<u>93</u>	Letter from Plaintiff's counsel to Judge Trager Regarding errors in oral argument. (LaHood, Maria) (Entered: 08/18/2005)
09/07/2005	<u>95</u>	Letter from Mary Hampton Mason to Honorable David G. Trager Regarding Plaintiff's Notice of Supp. Auth. Dated August 8, 2005,. (Dunn, Scott) (Entered: 09/07/2005)
09/09/2005	<u>96</u>	Letter from Maria LaHood on behalf of Plaintiff Arar to Judge Trager Regarding Motions to Dismiss; response to 9/7/05 Letter from Government. (LaHood, Maria) (Entered: 09/09/2005)
09/09/2005	<u>97</u>	Letter from Maria LaHood on behalf of Plaintiff Arar to Judge Trager Regarding State Secrets Assertion. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5)(LaHood, Maria) (Entered: 09/09/2005)
09/16/2005		***Motions terminated: <u>51</u> Letter MOTION for Extension of Time to File Response/Reply and, <u>47</u> MOTION for Extension of Time to File Response/Reply filed by Maher Arar,. Motions terminated per docket entries [ <u>52</u> ] and <u>49</u> , respectively. (Toritto, Jim) (Entered: 09/16/2005)
09/30/2005	<u>98</u>	Letter from Maria LaHood, Plaintiff's counsel to Judge Trager Regarding Motions to Dismiss, Elmaghraby opinion. (Attachments: # <u>1</u> Exhibit

		Elmaghraby Opinion)(LaHood, Maria) (Entered: 09/30/2005)
02/16/2006	99	Memorandum and order issued. Ordered by Judge David G. Trager on 02/16/2006. (Trager, David) (Entered: 02/16/2006)
02/21/2006	100	Motions terminated - see Doc. 99: 58 MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> filed by Edward J McElroy,, 59 MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> filed by Robert Mueller,, 57 MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> filed by Larry D. Thompson,, 28 First MOTION to Dismiss <i>Complaint</i> filed by James W. Ziglar,, 56 MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims, and Supporting Memorandum</i> ,, 67 MOTION to Dismiss , <i>or in the alternative</i> MOTION for Summary Judgment , <i>with Supporting Memorandum of Law to be filed separately below</i> , MOTION for Summary Judgment , <i>with Supporting Memorandum of Law to be filed separately below</i> , filed by J Scott Blackman,, 53 Letter MOTION for Leave to File Excess Pages for <i>State Secrets Response</i> filed by Maher Arar,. (Vaughn, Terry) (Entered: 02/21/2006)
04/04/2006	100	Notice of MOTION for Entry of Judgment under Rule 54(b) by Maher Arar. (Attachments: # 1 Memorandum of Law# 2 Certificate of Service)(LaHood, Maria) (Entered: 04/04/2006)
04/11/2006	101	Letter <i>Requesting Pre-Motion Conference</i> by Robert Mueller, United States, John Ashcroft, James W. Ziglar, Larry D. Thompson, Tom Ridge, J Scott Blackman, Paula Corrigan, Edward J McElroy. (Brumbelow, Jeremy) (Entered: 04/11/2006)
04/17/2006	102	Letter from Joshua S. Sohn to The Honorable David G. Trager in response to Defendants' letter dated April 11, 2006, by Maher Arar. (Sohn, Joshua) (Entered: 04/17/2006)
04/20/2006	103	Letter Regarding Briefing Schedule on Plaintiff's Rule 54(b) Motion by United States. (Brumbelow, Jeremy) (Entered: 04/20/2006)
04/21/2006	104	ORDER endorsing parties' joint briefing schedule filed as 103 Letter filed by United States. The Defendants' response to Plaintiff's Rule 54(b) motion shall be filed on or before May 4, 2006; and the Plaintiff's reply, if any shall be filed on or before May 18, 2006. Ordered by Judge David G. Trager on 04/21/2006. (Trager, David) (Entered: 04/21/2006)
04/25/2006	105	NOTICE of Appearance by Jeremy Maltby on behalf of Robert Mueller (Maltby, Jeremy) (Entered: 04/25/2006)
05/04/2006	106	RESPONSE in Opposition re 100 Notice of MOTION for Entry of Judgment under Rule 54(b) filed by all defendants. (Brumbelow, Jeremy) (Entered: 05/04/2006)
05/18/2006	107	RESPONSE in Opposition re 100 Notice of MOTION for Entry of Judgment under Rule 54(b) ( <i>Defendants' Opposition to Plaintiff's Motion</i> ) filed by Maher Arar. (Rekuc, Maryann) (Entered: 05/18/2006)

05/18/2006	108	REPLY to Response to Motion re 100 Notice of MOTION for Entry of Judgment under Rule 54(b) ( <i>Plaintiff's Reply in Further Support of Plaintiff's Motion under Rule 54(b)</i> ) filed by Maher Arar. (Rekuc, Maryann) (Entered: 05/18/2006)
06/28/2006	109	Per Chambers: Magistrate Judge Steven M. Gold added. Magistrate Judge Viktor V. Pohorelsky no longer assigned to case. (Vaughn, Terry) (Entered: 06/28/2006)
07/05/2006	109	See attached order. Ordered by Judge David G. Trager on 07/05/2006. (Trager, David) (Entered: 07/05/2006)
07/06/2006	110	SCHEDULING ORDER Attached: Telephone Conference set for 7/10/2006 at 2:00 PM before Magistrate-Judge Steven M. Gold.(Vasquez, Lea) (Entered: 07/06/2006)
07/11/2006	111	Minute Entry for proceedings held before Steven M. Gold : Telephone Conference held on 7/10/2006. Sohn and Fink for plaintiff, US by Mason and Brumblow and Dunn, Ashcroft by Barghaan, Cassidy and Kilberg for Thompson, Bakhos for Ziglar, Roth for Blackman, Sullivan and Roth for McElroy, Maltby for Mueller. Status conf: July 19 at 3:00 pm. (Vasquez, Lea) (Entered: 07/11/2006)
07/14/2006	111	NOTICE by Maher Arar <i>of intent not to replead</i> (Attachments: # 1 Certificate of Service)(LaHood, Maria) (Entered: 07/14/2006)
07/20/2006	112	Minute Entry for proceedings held before Steven M. Gold : Settlement Conference held on 7/19/2006. LaHood, Fink and Gallagher for plaintiff, Mason, Dunn and Brumbelow for US. Settlement conference held. Settlement not possible at this time. (Vasquez, Lea) (Entered: 07/20/2006)
07/28/2006	112	JUDGMENT that pltf. take nothing of the defts.; and that pltf's. claims for declaratory relief against defts. in their official capacities are dismissed with prejudice; and that pltf's. claims against all ten defts. are dismissed without prejudice . Ordered by Judge Clerk of Court on 7/25/06. (Greene, Donna)c/m (Entered: 07/28/2006)
08/10/2006	113	ORDER endorsed on letter dated 8/7/06 from Maria C. LaHood to Judge Trager. The Clerk of the Court is directed to enter an amended judgment incorporating the paragraph below that the parties have agreed upon. Ordered by Judge David G. Trager on 8/7/06. (Greene, Donna) (Entered: 08/10/2006)
08/17/2006	114	JUDGMENT that pltf. take nothing of the defts; and that pltf's. claims for declaratory relief against defts. in their official capacities are dismissed with prejudice; and that pltf's. claims against John Ashcroft, Larry D. Thompson, James W. Ziglar, J. Scott Blackman, Edward J. McElroy, and Robert Mueller in individual capacities are dismissed with prejudice; and the pltf's claims against all ten Johnn Doe defts. are dismissed without prejudice. Ordered by Judge Clerk of Court on 8/17/06. (Greene, Donna)c/m (Entered: 08/17/2006)



09/12/2006	115	NOTICE OF APPEAL by Maher Arar. Filing fee \$ 455, receipt number 1994097. (Attachments: # <u>1</u> Certificate of Service)(LaHood, Maria) (Entered: 09/12/2006)
09/12/2006	1	Electronic Index to Record on Appeal sent to US Court of Appeals re <u>27</u> Letter, <u>58</u> MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> , <u>37</u> Notice of MOTION for Limited Admission, <u>78</u> Memorandum in Support, <u>80</u> Letter, <u>26</u> Notice of Appearance, <u>102</u> Letter, <u>1</u> Complaint,, <u>66</u> Reply to Response to Motion, <u>85</u> Letter,, <u>63</u> Reply to Response to Motion, <u>103</u> Letter, <u>93</u> Letter, <u>100</u> Notice of MOTION for Entry of Judgment under Rule 54(b), <u>44</u> Order on Motion for Limited Admission, <u>86</u> Letter, <u>88</u> Order, <u>76</u> Memorandum in Support, <u>74</u> Affidavit in Support, <u>57</u> MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> , <u>41</u> Notice of MOTION for Limited Admission, <u>71</u> Letter, <u>95</u> Letter, <u>39</u> Notice of MOTION for Limited Admission, <u>101</u> Letter, <u>77</u> Notice (Other), <u>91</u> Affidavit in Support, <u>43</u> Notice of MOTION for Limited Admission, <u>94</u> Status Conference, <u>64</u> Reply to Response to Motion, <u>73</u> Memorandum in Opposition, <u>33</u> Memorandum in Support, <u>30</u> Order, <u>23</u> Letter,, <u>67</u> MOTION to Dismiss , <i>or in the alternative</i> MOTION for Summary Judgment , <i>with Supporting Memorandum of Law to be filed separately below</i> , MOTION for Summary Judgment , <i>with Supporting Memorandum of Law to be filed separately below</i> ,, <u>97</u> Letter, <u>115</u> Notice of Appeal, <u>82</u> Letter, <u>53</u> Letter MOTION for Leave to File Excess Pages for <i>State Secrets Response</i> , <u>111</u> Notice (Other), <u>50</u> Notice (Other), <u>114</u> Judgment,,, <u>24</u> Letter, <u>112</u> Clerk's Judgment,, <u>107</u> Response in Opposition to Motion, <u>42</u> Order on Motion for Limited Admission, <u>99</u> Order on Motion to Dismiss, <u>98</u> Letter, <u>49</u> Order, <u>92</u> Memorandum in Support, <u>51</u> Letter MOTION for Extension of Time to File Response/Reply <i>regarding State Secrets</i> , <u>90</u> Notice (Other), <u>29</u> Order, <u>89</u> Letter, <u>96</u> Letter, <u>75</u> Affidavit in Opposition, <u>46</u> Consent MOTION for Extension of Time to File Response/Reply as to <u>30</u> Order, <u>60</u> Response in Opposition to Motion,,, <u>62</u> Reply to Response to Motion, <u>48</u> Order, <u>106</u> Response in Opposition to Motion, <u>59</u> MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> , <u>45</u> Notice of Appearance, <u>108</u> Reply to Response to Motion, <u>34</u> Notice (Other), <u>31</u> MOTION for Limited Admission <i>Pro Hac Vice for Maria LaHood</i> , <u>61</u> Reply to Response to Motion, <u>22</u> Letter, <u>87</u> Notice (Other), <u>68</u> Memorandum in Support,, <u>72</u> Reply in Opposition, <u>32</u> Order, <u>83</u> Notice of MOTION for Leave to Appear <i>Pro Hac Vice as to Bassel Bakhos</i> , <u>55</u> MOTION to Dismiss <i>Plaintiff's Official-Capacity Claims</i> , <u>36</u> Order, <u>47</u> MOTION for Extension of Time to File Response/Reply, <u>109</u> Order on Motion for Entry of Judgment under Rule 54(b), <u>113</u> Order,, <u>81</u> Reply in Support, <u>105</u> Notice of Appearance, <u>110</u> Scheduling Order, <u>28</u> First MOTION to Dismiss <i>Complaint</i> , <u>56</u> MOTION to Dismiss <i>Plaintiff's Individual-Capacity Claims</i> , and <i>Supporting Memorandum</i> ,, <u>70</u> Letter, <u>38</u> Order on Motion for Limited Admission, <u>79</u> Notice (Other), <u>40</u> Order on Motion for Limited Admission, <u>84</u> Order on Motion for Leave to Appear, <u>69</u> Reply to Response to Motion,, <u>65</u> Reply to Response to Motion For docket entries without a hyperlink, contact the court and we'll arrange for the document(s) to be made available to you. (McGee, Mary Ann)



	(Entered: 09/12/2006)
--	-----------------------